

**IN THE
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION**

HORTON HOMES, INC.,

Plaintiff,

v.

**LARUE BANDY, MARIE BANDY, PATRICK
PRITCHETT, WILLIAM SHANER, ELSIE
FONDREN AVERETTE, WILLIAM
CRUTHIRDS, and SHERRIE CRUTHIRDS,**

Defendants.

Case No.

2:07-CV-506-MEF

CONSENT PRELIMINARY INJUNCTION

This matter is before the court on the request for the entry of a preliminary injunction by plaintiff Horton Homes, Inc. with the consent of defendants Larue Bandy, Marie Bandy, Patrick Pritchett, Elsie Fondren Averette, William Cruthirds, and Sherrie Cruthirds. The defendants stipulate to the entry of the injunctive relief set forth herein without waiving their position that plaintiff is not entitled to any of the relief requested in the complaint.

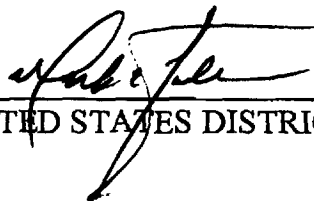
PREMISES CONSIDERED, the court enters the following Order:

Defendants Larue Bandy, Marie Bandy, Patrick Pritchett, Elsie Fondren Averette, William Cruthirds, and Sherrie Cruthirds, and each of them, are hereby enjoined and restrained, pending further order of the court, from presenting,

prosecuting, pursuing or otherwise taking any action to cause the arbitration of any and all claims of the listed defendants against the plaintiff Horton Homes, Inc. in any forum, venue or proceeding whatsoever, it being the Order of the court that all arbitration proceedings instituted by the defendants named above against Horton Homes, Inc. are hereby STAYED pending further order of the court.

PROVIDED, that the plaintiff post security for the payment of costs and damages sustained by any party found to have been wrongfully enjoined or restrained in the amount of Eight Hundred Thousand and No/100 Dollars (\$800,000.00), the aforesaid sum and the Surety therefor having been agreed-upon by plaintiff and defendants.

DONE AND ORDERED this 21st day of ^{November}~~October~~, 2007.


UNITED STATES DISTRICT JUDGE